IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

UNITED STATES OF AMERICA,	)	
	)	Crim. No. 4:13-CR-00147
v.	)	
	)	
MO HAILONG, and	)	
MO YUN	)	
Defendants.	)	

GOVERNMENT'S FILING WITH RESPECT TO THE DEADLINE FOR RESPONSES TO PRETRIAL MOTIONS

The UNITED STATES OF AMERICA files the following explanation of its position with respect to the deadline for the government's response to pretrial motions in this matter.

1. On December 17, 2014, this Court issued an order setting a trial date of September 14, 2014. (Dkt. 158.) The Court further ordered the parties to submit agreed or proposed pretrial deadlines. *Id.*

2. The parties have reached agreement with respect to the vast majority of pretrial deadlines, and have submitted their agreed proposal to the Court. (Dkt. 168.) The government and Mo Hailong have reached full agreement with respect to these deadlines. The government and Mo Yun agree on all but one point: the deadline for the government's response to certain pretrial motions.

3. The government and Mo Hailong have agreed that Mo Hailong will file pretrial motions by March 27, that the government's responses will be due by April 27, and that Mo Hailong's replies will be due by May 11. Mo Yun has not agreed to

this schedule to the extent that she reserves the right to file pretrial motions before March 27, and she wants the government's responses to such early motions to be due before April 27. Mo Yun requests that the government's responses be due as provided by the local rules (ten days after each motion is filed, LCrR 47). Mo Yun also anticipates requesting a hearing on her early pretrial motions in March or April, before any hearing would be held on Mo Hailong's pretrial motions.

4. In the government's view, there should be one pretrial motion schedule for both defendants. One schedule will give the Court and the parties certainty about the deadlines and the progression of the case. There is no reason for the Court to consider pretrial motions in a scattershot fashion, and no reason to hold two separate hearings on pretrial motions, one for Mo Yun and a later one for Mo Hailong. This Court has already determined that the defendants should be tried together. Their pretrial motions should be heard together as well.

5. Some of Mo Yun's pretrial motions may overlap with motions Mo Hailong intends to file, and Mo Hailong may have an interest in some of the motions Mo Yun files. Similarly, Mo Yun may have an interest in some of the motions Mo Hailong files. Such an overlap of interests already occurred in this case with respect to Mo Yun's motions for severance and for a bill of particulars. Even though Mo Yun was the only defendant to file such motions, at the hearing on the motions, counsel for both defendants addressed the Court at some length. It is likely that both defendants will want to address the Court about each defendant's pretrial motions as well. The Court and the parties will be best served if there is one

deadline for pretrial motions, one deadline for responses, and one hearing on the motions.

6. In addition to being more efficient, one schedule for pretrial motions will also be more predictable. In a typical case, the Court schedules a single deadline for the filing of pretrial motions, and a single deadline for responses. The Court should follow the same approach in this case.

7. Therefore, with respect to both defendants, the government asks the Court to adopt the schedule agreed to by the government and Mo Hailong, and order that all pretrial motions be due by March 27, all responses due by April 27, and all replies by May 11. The schedule would allow the Court to hold one hearing on pretrial motions in May—four months before trial. This is a reasonable schedule.

Respectfully Submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on January 9, 2015, I electronically filed the foregoing with the Clerk of Court using the CM ECF system. I hereby certify that a copy of this document was served on the parties or attorneys of record and the United States Probation Officer by:

____ U.S. Mail ____ Fax ____ Hand Delivery

_X_ ECF/Electronic filing ___ Other means (email)

UNITED STATES ATTORNEY

By: *_/s/ Marc Krickbaum_*
Assistant United States Attorney